

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE**

LESLIE RAGAN)	
)	
Plaintiff,)	Docket No. 1:07-cv-1161
)	
v.)	Judge Todd
)	Mag. Judge Anderson
LANSING BUILDING PRODUCTS, INC.,)	
)	Jury Demand
Defendant.)	

PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)):

No later than November 9, 2007

JOINING PARTIES:

for Plaintiff: No later than December 28, 2007

for Defendant: No later than January 28, 2008

AMENDING PLEADINGS:

for Plaintiff: No later than January 28, 2007

for Defendant: No later than February 28, 2008

COMPLETING ALL DISCOVERY:

Discovery must be completed no later than June 2, 2008

- (a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS
FOR ADMISSIONS:** No later than April 15, 2008

(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

- (i) Plaintiff's Experts: No later than April 1, 2008
- (ii) Defendant's Experts: No later than May 1, 2008
- (iii) Supplementation under Rule 26(e): No later than May 12, 2008

(c) **DEPOSITIONS OF EXPERTS:** No later than June 2, 2008

FILING DISPOSITIVE MOTIONS:

No later than July 2, 2008

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: 45 days before trial
- (b) for Defendant: 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 3-4 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: _____

APPROVED FOR ENTRY:

/s Michael L. Russell (by David L. Johnson w/ permission)

Justin S. Gilbert, #17079
Michael L. Russell, #20268
Gilbert & Russell PLC
2021 Greystone Drive
P.O. Box 11357
Jackson, TN 38308
(731) 664-1340
jgilbert@gilbertfirm.com

David L. Johnson

David L. Johnson, #18732
Miller & Martin PLLC
1200 One Nashville Place
150 Fourth Avenue, North
Nashville, Tennessee 37219-2433
(615) 744-8412
dljohnson@millermartin.com